

Dear Federally Permitted Vessel Owners and Seafood Dealers:

In an effort to improve our data collection program, the National Marine Fisheries Service (NMFS) recently issued a final rule (65 FR 60892, October 13, 2000) to amend the existing reporting regulations for dealers and vessel owners federally permitted in the summer flounder, scup, black sea bass, Atlantic sea scallop, Northeast multispecies, monkfish, Atlantic mackerel, squid, butterfish, surfclam, ocean quahog, spiny dogfish, or Atlantic bluefish fisheries.

Below is a summary of the final rule modifications and clarifications for dealer and vessel reporting requirements, effective November 13, 2000.

SEAFOOD DEALERS/PROCESSORS

Dealer Reports - To clarify this requirement dealers must submit a report for **each** fishing trip from which purchases are made within sixteen (16) days of the end of the reporting week. Each report must include the following:

- Date of purchase
- Dealer name, address, and permit number
- Vessel name and permit number
- Pounds of each species, by market category, if applicable
- Value of each species, by market category, if applicable
- Port landed
- Dealer signature

Annual Processed Products Report - To collect more comprehensive and accurate data on the processing segment of the industry, dealers are now required to complete all sections of the Annual Processed Products Report.

Record Retention - Dealers must retain copies of reports and records upon which the reports were based for a total of three years after the date of the last entry on the report. Records must be available for review and retained at their principle place of business.

Submission of Surfclam/Ocean Quahog Reports - To ensure that quotas in the surfclam and ocean quahog fisheries are not exceeded, harvest levels must be monitored on a timely basis. While dealers have historically provided these data on a weekly basis, this action specifies that reports must be postmarked or received within three days of the end of the reporting week.

SEAFOOD DEALERS AND VESSEL OWNERS

Trip Identifier - Although the requirement for federally permitted dealers to provide a trip identifier for each trip from which fish are purchased is included in the existing reporting requirements, the term “trip identifier” has not been defined and thus is not reported by industry. While “trip identifier” was defined in the proposed rule, establishing responsibility for compliance would be difficult because dealer compliance would be dependent upon compliance by the vessel owner/operator. Thus the requirement to provide a “trip identifier” is not being implemented at this time. However, due to the importance of establishing a link between the dealer and vessel data, NMFS intends to make reporting a trip identifier mandatory in the near future. NMFS is working with industry members to explore various options for transferring trip identifier information from vessels to dealers without overly burdening either party.

FISHING VESSELS

Fishing Vessel Trip Reports - The final rule clarifies the following:

- Report is to be submitted for each trip taken rather than for each day of a trip unless fishing occurs in a different chart area or gear or mesh size is changed during a trip.
- All information, other than that which is not yet known to be ascertainable (e.g., dealer name, dealer permit number, and date sold), must be completed prior to entering port with fish.
- Vessel owners/operators must report the pounds by species of all fish landed or discarded by “hail weight” rather than exact weight. “Hail weight” is defined to mean a good-faith estimate, in pounds for commercial vessels and in numbers of individual fish for party and charter vessels, by species, or parts of species, such as monkfish livers, of all fish landed or discarded for each trip.

Record Retention - Vessel log reports and any records upon which the reports were based must be kept on board the vessel for at least one year and available for review and retained for a total of three years after the date of the last entry on the report.

Submission of Surfclam/Ocean Quahog Reports - Surfclam and ocean quahog vessel log reports must be postmarked or received within three days of the end of the reporting week.

If you have any questions regarding the final rule, please call (978) 281-9255. For questions regarding dealer reporting, contact your local Port Agent's office (list enclosed). For questions regarding vessel reporting, call (978) 281-9246 or you may contact us at our reporting help line at: reporting.ne@noaa.gov.

Sincerely,

Patricia A. Kurkul
Regional Administrator

Enclosure